

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORLANDO GARCIA,
Plaintiff,
v.
C.N. KHOV, INC.,
Defendant.

Case No. 4:22-cv-00131-YGR

**ORDER TO SHOW CAUSE RE:
SUPPLEMENTAL JURISDICTION**

Re: Dkt. No. 32


TO PLAINTIFF AND PLAINTIFF’S COUNSEL OF RECORD:

Plaintiff Orlando Garcia has filed a notice that his claim for injunctive relief under the ADA has been rendered moot. (Dkt. No. 32.) Since injunctive relief is the only remedy available under the ADA, plaintiff’s entire ADA claim is now moot and is dismissed.

All that remains in this case is plaintiff’s Unruh Act claim. Courts decline to exercise supplemental jurisdiction over Unruh Act claims after the parallel ADA claim has been dismissed. Additionally, when a “high-frequency” litigant such as Garcia asserts an Unruh Act claim in federal court with an ADA claim, this constitutes an exceptional circumstance that justifies dismissal of the Unruh Act claim. *See Arroyo v. Rosas*, 19 F.4th 1202, 1211-14 (9th Cir. 2021); *Garcia v. Maciel*, No. 21-cv-03743-JC, 2022 WL 395316 (N.D. Cal. Feb. 9, 2022). Therefore, plaintiff is **HEREBY ORDERED** to respond in writing **no later than August 26, 2022**, how this case would further “the interest of judicial economy, convenience, fairness and comity” to justify the exercise of supplemental jurisdiction. *See Smith v. Lenches*, 263 F.3d 972, 977 (9th Cir. 2001). Failure to timely respond will result in the dismissal of plaintiff’s Unruh Act claim.

IT IS SO ORDERED.

Dated: August 19, 2022


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE